

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

U.S. RENAL CARE, INC. d/b/a U.S.	:	Civil No. 1:14-CV-2257
RENALCARE CENTRAL YORK,	:	
DIALYSIS individually and as	:	
ASSIGNEE OF PATIENT, WW,	:	
	:	
Plaintiff/	:	
Counter-Defendant,	:	
	:	
v.	:	
	:	
WELLSPAN HEALTH, WELLSPAN	:	
MEDICAL PLAN, THE PLAN	:	
ADMINISTRATOR OF WELLSPAN	:	
MEDICAL PLAN, and South Central	:	
PREFERRED, INC.,	:	
	:	
Defendants/	:	
Counter-Plaintiffs.	:	Judge Sylvia H. Rambo

O R D E R

In accordance with the accompanying memorandum of law, **IT IS**
HEREBY ORDERED as follows:

- 1) Plaintiff's motion for summary judgment as to its claims, pursuant to §§ 502(a) and 502(c)(1) of ERISA, (Doc. 95) is **DENIED**.
- 2) Defendants' motion for summary judgment as to Plaintiff's claims (Doc. 88) is **GRANTED**.
- 3) Plaintiff's motion for summary judgment as to Defendants' counterclaims (Doc. 75) is **GRANTED** as to Count II (unjust enrichment), but **DENIED** as to Count I (equitable relief pursuant to § 502(a)(3) of ERISA).

- 4) Defendants' motion for summary judgment as to its counterclaims (Doc. 87) is **DENIED** as to Count II, but **GRANTED** as to Count I.
- 5) Plaintiff shall pay to Defendants the sum of \$159,706.39.
- 6) The Clerk of Court is directed to close this case.

s/Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge

Dated: March 21, 2017